REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 1-7 and 9-18 are pending in the present application. Claim 8 is cancelled without prejudice and claims 7, 9, 13 and 14 are amended by the present amendment.

In the outstanding Office Action, claims 2-6, 10, 12 and 15-18 were allowed. As an initial matter, Applicants thank the Examiner for the early indication of allowable subject matter.

I. Drawings

FIGS. 1, 2, 3A and 3B were objected to in item 3 of the outstanding Office Action. FIGS. 1, 2, 3A and 3B are amended to recite "Related Art," in light of the comments noted in the outstanding Office Action. Accordingly, it is respectfully requested this objection be withdrawn.

In addition, FIGS. 25, 26A, 28, 35, 37 and 39 are amended only to correct minor informalities. It is believed no new matter is added.

II. Rejection under 35 USC §102

Claims 1 and 11 were objected to under 35 USC §102(e) as unpatentable over U.S. Patent No. 6,585,778 to Hind et al. (Herein "Hind"). This rejection is respectfully traversed.

Independent claim 1 recites "transmitting structure information including information for collecting element data from a first device to a second device" and "collecting element data by the second device according to the structure information." Further, independent claim 1 recites "transmitting the element data collected by the second device to a third device." Independent claim 11 includes similar features.

In a non-limiting example, FIGS. 10A and 10B show that a delivery source system 61 delivers data to a delivery destination system 81 via a relay system 71. FIG. 10A shows structure information generated by the delivery source system 61. In the relay system information in the structure information, the relay system 71 is set. Furthermore, the delivery destination system 81 is set in the delivery destination information.

The delivery source system 61 transmits the described structure information to the relay system 71 as shown in FIG. 10B. Upon receipt of the structure information, the relay system 71 first collects corresponding element data from a storage medium provided with a resource system or the relay system 71 according to element data information-1 through element data information-n. The relay system 71 then generates complete data to be delivered to the delivery destination system 81 by assembling the collected element data according to the assembly information and the structure information, and transmits the complete data to the delivery destination system 81.

Therefore, the relay system 71 (which receives the structure information) collects the element data to be delivered to the delivery destination system 81, assembles the collected element data, and delivers the assembled data to the delivery destination system 81 (see the specification at page 21, line 9 to page 29, line 18).

As an advantage, the delivery source system 61 does not need to collect the data to be delivered to a delivery destination system, and the load is lightened on the delivery source system 61. Further, the capacity of a storage device for storing the data to be delivered to the delivery destination system 81 can be reduced (see the specification at page 29, lines 18-24).

In contrast, Hind only discusses enforcing a data policy using style sheet processing, in which each data element of a document may specify a different data policy. When a document type definition (DTD) associated with the document reaches a node, the node applies the data policy.

However, Hind does not discuss or suggest at least "collecting element data by the second device according to the structure information" and "transmitting the element data collected by the second device to a third device," as recited in independent claim 1 (and similarly in independent claim 11). Rather, Hind only discusses that a new "gateway or intermediary device" (or a node, as discussed in the Abstract of Hind) collects data from "one or more servers" and transfers the collected data to a "client device." Assuming *arguendo* that the "gateway or intermediary device" of Hind corresponds to a first device, the "one or more servers" correspond to a second device, and the "client device" corresponds to a third device recited in pending independent claims 1 and 11, Hind only discusses that the second device collects data from the first device and transfers the collected data to the third device.

Such a system is different from pending independent claims 1 and 11, which recite "collecting element data by the second device" and "transmitting the element data collected by the second device to a third device." Claim 1 does not recite collecting element data from the first device and transmitting it to the third; rather, in regard to the first device, independent claim 1 recites "transmitting structure information including information for collecting data from a first to a second device" (independent claim 11 includes similar features). That is, independent claims 1 and 11 do not recite that the structure information is transmitted to the third device, but that the second device collects element data according to the structure information and transmits the element data to a third device.

Accordingly, it is respectfully submitted independent claims 1 and 11 and each of the claims depending therefrom patentably distinguish over Hind.

III. Rejection Under 35 USC § 103

Claims 7-9, 13 and 14 were rejected under 35 USC § 103(a) as unpatentable over Hind. This rejection is respectfully traversed.

Claim 8 is cancelled without prejudice, and claims 7 and 9 are amended to recite generating structure information including "first information to identify first element data to be collected by the first relay device, second information to identify second element data to be collected by the second relay device and third information to identify the second relay device and the destination device," support for which is found the originally filed specification at least at page 33, lines 4-20. Amended independent claims 7 and 9 also recite "transmitting the first element data and the structure information from the first relay device to the second relay device according to the third information in the structure information," and "delivering the first and second element data from the second device to the destination device according to the third information in the structure information," support for which is found in the originally filed application at least in FIGS. 13 and 14 and at page 34, line 20 to page 35, line 17.

As an advantage, common element data to be delivered to a plurality of delivery destination systems can be collected by one relay system, and a plurality of sets of element data that differ depending on each delivery destination system may be collected by different relay systemS. Further, common element data which is delivered to a plurality of delivery destination systems is not collected and delivered repeatedly, thereby increasing the efficiency of data delivery (see the specification at page 37, line 22 to page 38, line 8).

Amended independent claims 7, 9, 13 and 14 are believed to patentably distinguish over Hind at least for similar reasons as discussed regarding independent claims 1 and 11. Further, Hind only discusses that data policies are enforced for documents by retrieving data policies, but does not discuss or suggest "generating structure information, which includes first information to identify first element data to be collected by the first relay device, second information to identify second element data to be collected by the second relay device and third information to identify the second relay device and the destination device," as recited in amended independent claims 7, 9, 13 and 14.

Accordingly, it is respectfully submitted amended independent claims 7, 9, 13 and 14 and each of the claims depending therefrom patentably distinguish over Hind.

IV. Updated IDS and Form PTO-1449

In light of the comment noted in item 2 of the outstanding Office Action, the relevant portions of references AJ-AL are considered to be the drawings and other information ascertainable in the untranslated Japanese references since English Abstracts are not available for those particular references. Accordingly, enclosed is an updated form PTO-1449, and it is respectfully requested consideration of the references listed in the updated Form PTO-1449 be acknowledged in the next Office Communication.

V. Conclusion

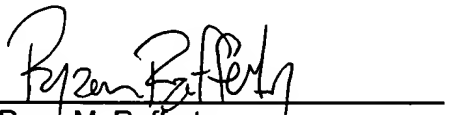
Consequently, in light of the above discussion and in view of the present amendment, this application is believed to be in condition for allowance and an early and favorable action to that effect is respectively requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: June 15, 2004

By: 

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ANNOTATED SHEET

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JUN 15 2004
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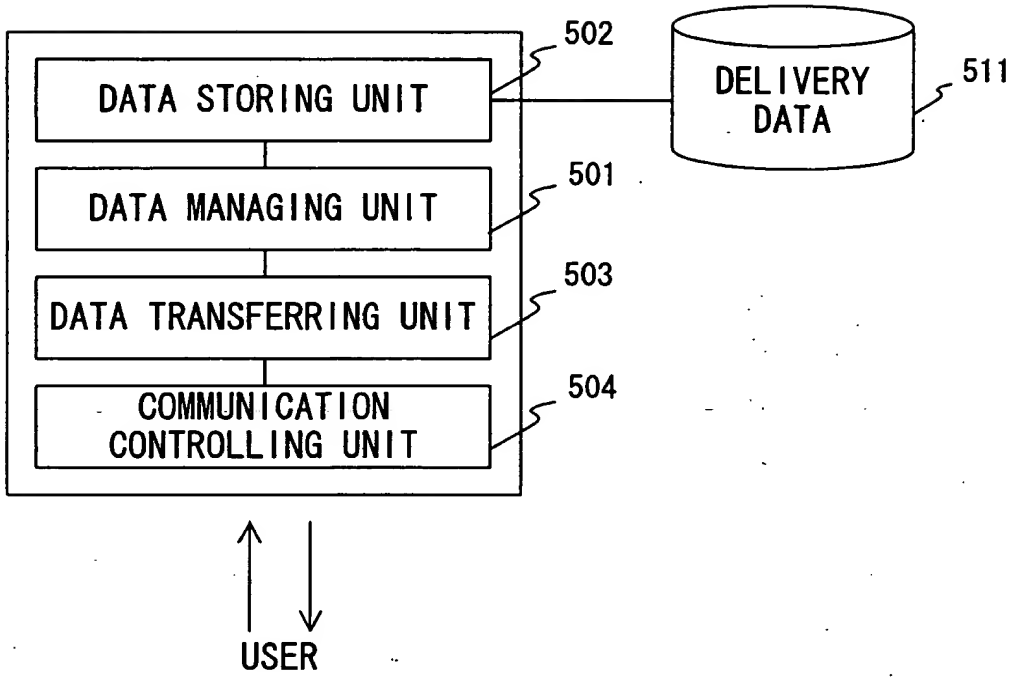

FIG. 1

(RELATED ART)

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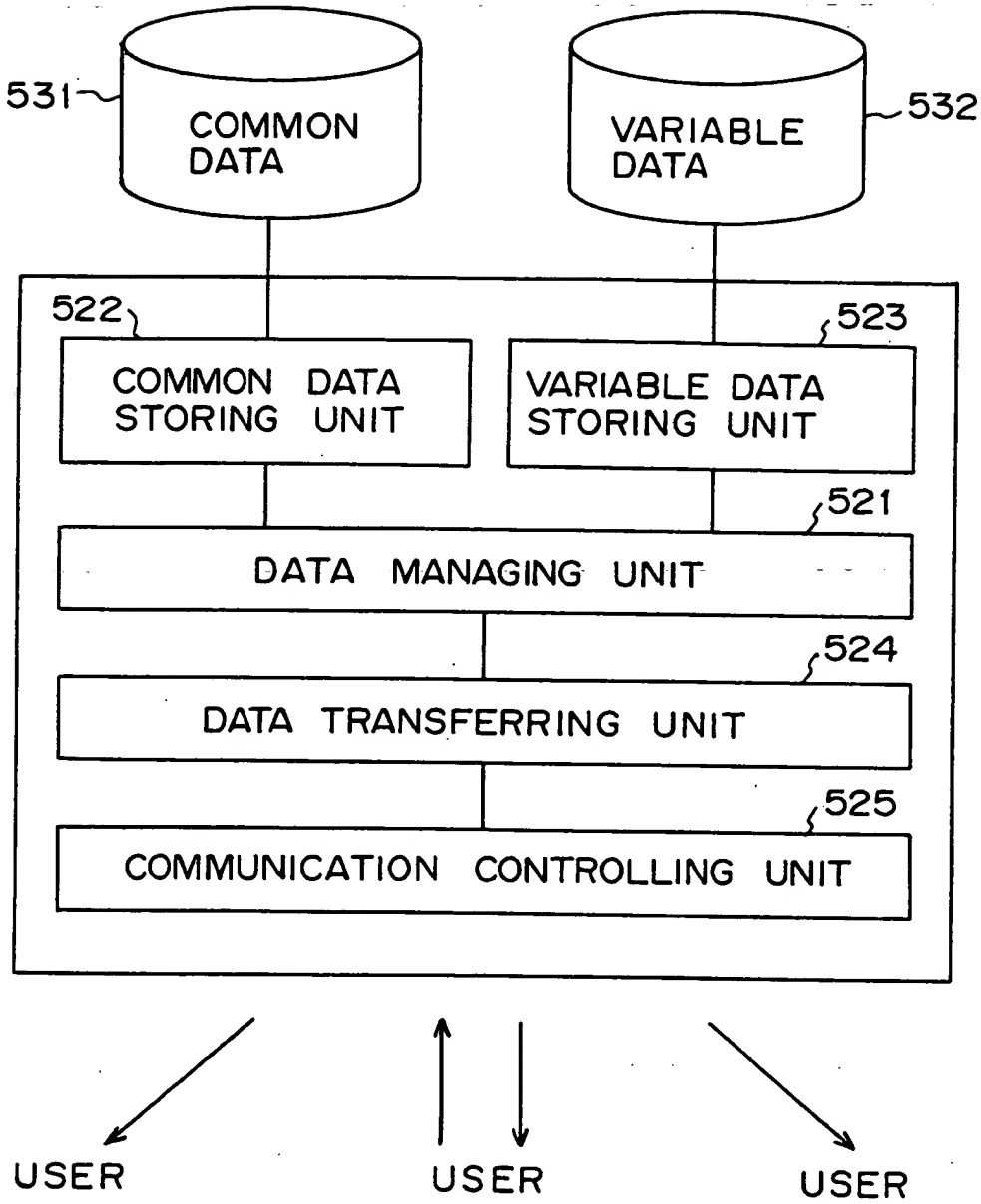

FIG. 2
(RELATED ART)

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JC03

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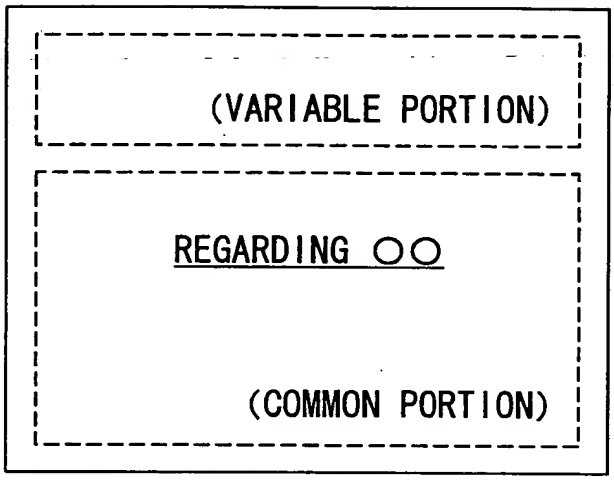

FIG. 3A
(RELATED ART)

ELEMENT DATA－1	DESTINATION INFORMATION－1
ELEMENT DATA－2	DESTINATION INFORMATION－2
ELEMENT DATA－3	DESTINATION INFORMATION－3
...	...
ELEMENT DATA－n	DESTINATION INFORMATION－n

FIG. 3B
(RELATED ART)

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USPTO JUN 15 2004 PATENT & TRADEMARK OFFICE

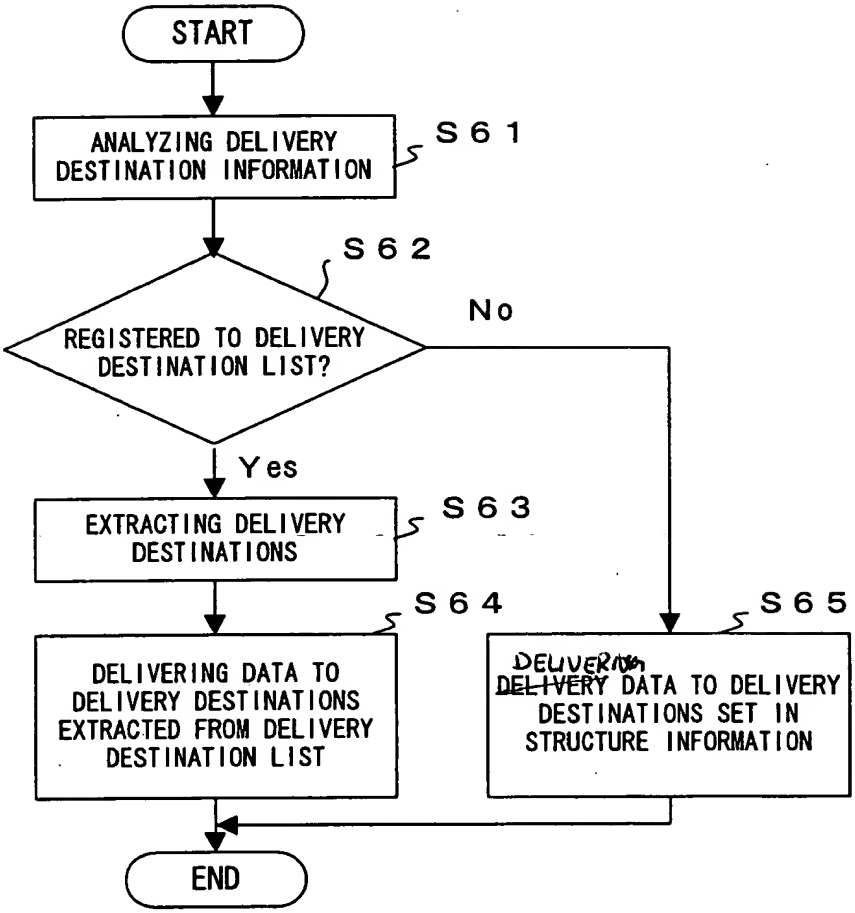

FIG. 25

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JUN 15 2004
PATENT & TRADEMARK OFFICE 3600

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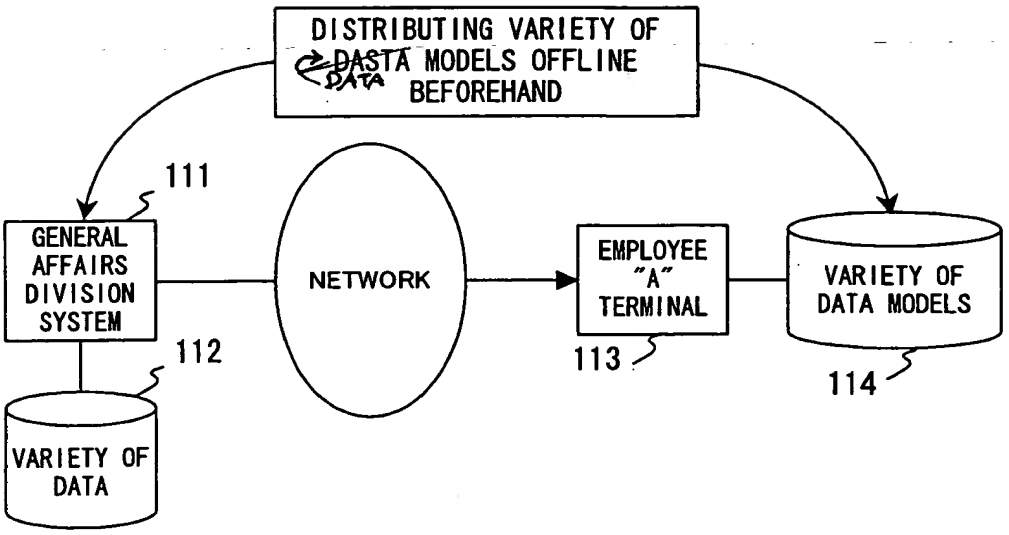

FIG. 26A

GENERAL AFFAIRS DIVISION SYSTEM	ATTACH	BUSINESS PERFORMANCE DATA	INTEROFFICE MEMO	BUSINESS TRIP EXPENSE ADJUSTMENT STATEMENT	
EMPLOYEE "A" TERMINAL	ASSEMBLY INFORMATION	BUSINESS PERFORMANCE REPORT MODEL	INTEROFFICE MEMO MODEL	BUSINESS TRIP EXPENSE ADJUSTMENT STATEMENT MODEL	EMPLOYEE "A" TERMINAL

FIG. 26B

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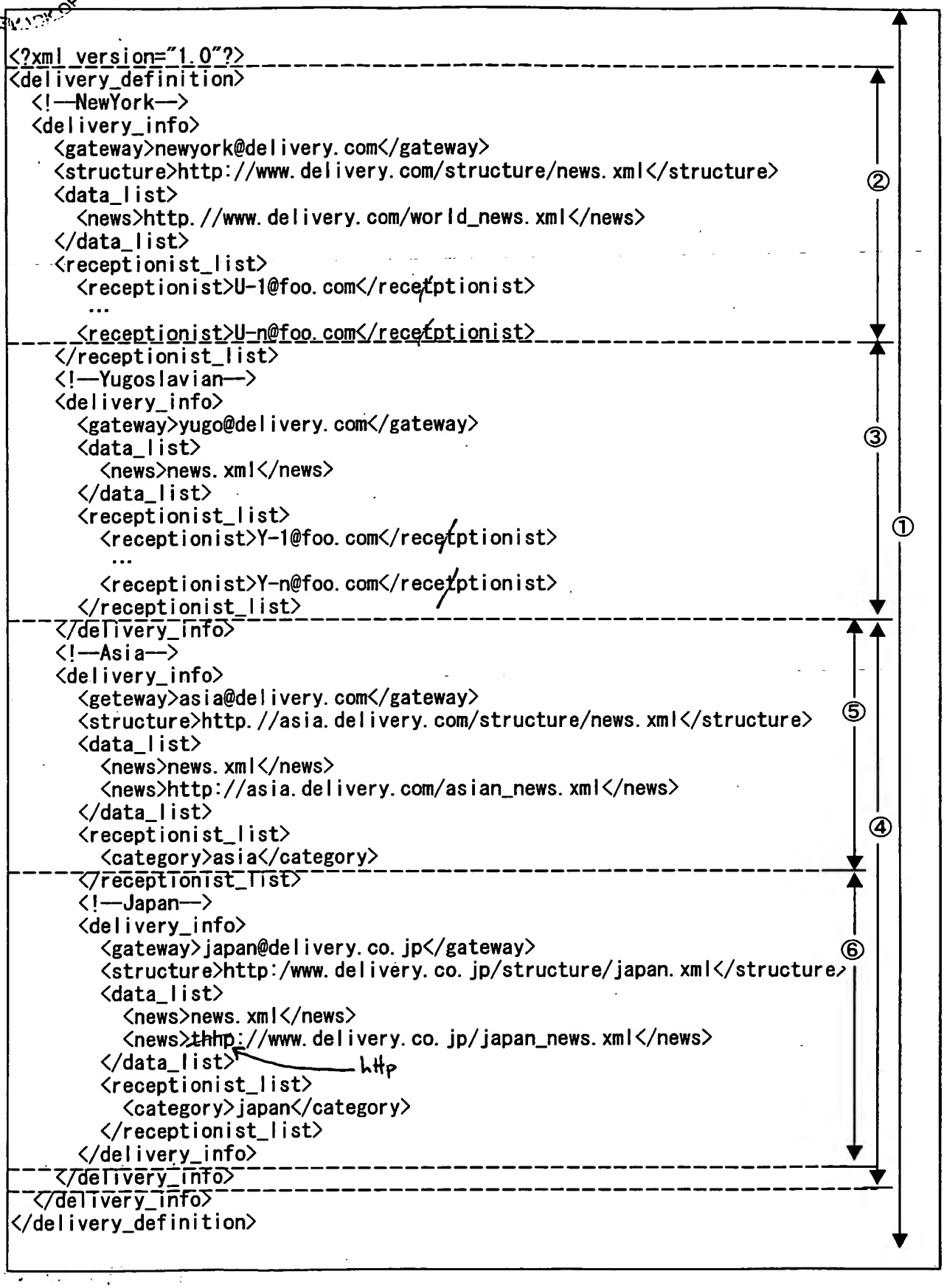

FIG. 28

OIPE
JUN 15 2004
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ANNOTATED SHEET

```
<?xml version="1.0"?>

<!DOCTYPE daily_news> [
<!ENTITY  news        SYSTEM "news.xml">
<!ENTITY  asian_news  SYSTEM "asian_news.xml">
]>

<daily_news> <daily_news>
<date>2yyy-yy-yy</date>
<edition>yy</edition>
&asian_news;
&news;
</daily_news>
```

FIG. 35

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JUN 1 5 2004
PATENT & TRADEMARK OFFICE

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```
<?xml version="1.0"?>

<!DOCTYPE daily_news> [
<!ENTITY  news        SYSTEM "news.xml">
<!ENTITY  japan_news  SYSTEM "japan_news.xml">
]>

<dialy_news> <daily_news>
<date>2zzz-zz-zz</date>
<edition>zz</edition>
&japan_news;
&news;
</daily_news>
```

FIG. 37

JPE JC30 JUN 15 2004 PATENT & TRADEMARK OFFICE

ANNOTATED SHEET

```
<?xml version="1.0"?>

<!DOCTYPE daily_news> [
<!ENTITY  news          SYSTEM "news.xml">
<!ENTITY  japan_news    SYSTEM "japan_news.xml">
<!ENTITY  personal_news  SYSTEM "personal_news.xml">
]>

<diaty_news> <daily_news>
<date>2zzz-zz-zz</date>
<edition>zz</edition>
&personal_news;
&japan_news;
&news;
</daily_news>
```

FIG. 39

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

JUN 15 2004 PATENT & TRADEMARK OFFICE

ATTORNEY DOCKET NO.	APPLICATION NO.
826.1622/JDH	To be assigned
FIRST NAMED INVENTOR	
Yasutaka ODA et al.	
FILING DATE	GROUP ART UNIT
September 21, 2000	Unassigned

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						

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FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES	TRANSLATION NO
	AG	63-16749	1/23/88	Japan			Abst	
	AH	9-311831	12/2/97	Japan			Abst	
	AI	6-152917	5/31/94	Japan			Abst	
	AJ	2-137537	5/25/90	Japan				X
	AK	4-7935	1/13/92	Japan				X
	AL	2-43843	2/14/90	Japan				X

OTHER REFERENCES *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	AM	
	AN	
	AO	

EXAMINER	DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.